

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

ETRAILER CORPORATION,

Plaintiff/Counter Defendant,

vs.

AUTOMATIC EQUIPMENT MFG, CO. d/b/a  
BLUE OX, a Nebraska Corporation,

Defendant/Counter-Claimant.

**8:18CV351**

**ORDER**

ETRAILER CORPORATION,

Plaintiff/Counter Defendant,

vs.

AUTOMATIC EQUIPMENT MFG, CO. d/b/a  
BLUE OX, a Nebraska Corporation,

Defendant/Counter-Claimant.

**8:19CV300**

**ORDER**

This matter is before the Court on Plaintiff Etrailer Corporation's Motion to Consolidate (Filing No. 36 in Case No. 8:18CV351), requesting that the Court consolidate the above captioned cases for all purposes. Defense counsel notified the Court that the motion is not opposed. Upon review of the motion, the Court finds that consolidation pursuant to Fed. R. Civ. P. 42(a) is warranted. Accordingly,

**IT IS ORDERED:**

1. Plaintiff Etrailer Corporation's Motion to Consolidate (Filing No. 36 in Case No. 8:18CV351) is granted.
2. The above-captioned cases are consolidated for all purposes. The Court designates Case No. 8:18CV351 as the "Lead Case" and Case No. 8:19CV300 as the "Member Case."
3. The Court's CM/ECF System has the capacity for "spreading" text among the consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in the Member Case. The parties are instructed to file documents

in the Lead Case and to select the option “yes” in response to the System’s question whether to spread the text.

4. The parties may not use the spread text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; or to file items related to service of process.
5. If a party believes an item in addition to those described in paragraph 3 should not be filed in all the consolidated cases, the party must move for permission to file the item in the Member Case. The motion must be filed in both the consolidated cases using the spread text feature.
6. On or before **September 13, 2019**, the parties shall jointly file a Rule 26(f) Report that encompasses both cases. See Filing No. 32 in Case No. 8:18CV351.

Dated this 27<sup>th</sup> day of August, 2019.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge